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KONRAD RAYNES & VICTOR, LLP
315 S. BEVERLY DRIVE
210
BEVERLY HILLS, CA 90212

EXAMINER	
GRANT II, JEROME	
ART UNIT	**PAPER NUMBER**
2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/533,147	Applicant(s) KIRKEBY, KEVIN WAYNE
	Examiner Jerome Grant II	Art Unit 2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11,13-20 and 22-27* is/are rejected.

7)☒ Claim(s) *12 and 21* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 October 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 9.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

JEROME GRANT II PRIMARY EXAMINER

Detailed Action

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4:) of section 371 c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre AIPA 35 U.S. C. 102(e))

Claims 1, 3, 5 11, 14 20 and 23 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Heimendinger.

With respect to claim 1, Heimendinger teaches a method (shown by figure 6 and taught at Col. 15, lines 54 60, for processing a message in a network computing system including a fax transmission comprised of a recipient contact address and a message wherein the message includes a text and an attached file comprising:

managing multiple fax transmission fax jobs (via session object 316; transferring the message content from the management system (620) to a rendering computer (634); launching, the rendering computer, at least one application program(fax to e mail conversion) to convert the message content from a fax job to a file format; transferring (via 634) the rendering computer, the converted message content in the file formal: to the fax management system 620 (via IP protocol to fax file format, see col. 15, lines 57 59) that sent the message content to the rendering computer; transferring with the fax system 6,20 the message content in the file format to one of multiple communication ports 638 for transmittal to the recipient contact address (at the destination objects, see the lower portion of figure 6).

With respect to claims 2, Heimendinger teaches transferring job numbers , via 620, where the job numbers are session objects which are assigned to the fax jobs to the

conversion computer 634; and requesting with the rendering computer, the message content for the job numbers, wherein the fax management servers 620 transfer the message content in response to receiving the request from the rendering computer. See also col. 8, lines and 32 51, and especially lines 27 40.

With respect to claim 3, Heimendinger teaches maintaining with the fax servers, job tables including fax job records (log records 626) identified by the job number and changing with the fax server 620, state fields in the fax job records to manage the work flow of the fax jobs between the first and second computing system and ports (218, for example).

With respect to claim 5, Heimendinger teaches a file format fax image file format, see col. 15, lines 57 59.

With respect to claim 6, Heimendinger teaches determining one of multiple application programs capable of opening the attachment file (network protocol fax box 110, as taught at col. 5, lines 15 20 and 36 42). Heimendinger also teaches using the determined application program to convert the content of the attachment file to one or more images (IP) in the file format (fax file format), wherein all the images in the file format have an attached file from the first computing system. See col. 8, line 57 col.9, line 4 where header or address data is discerned in order to redirect the message object to the destination object. The first computing system is either of object manager 620 or destination object creator 634.

With respect to claim 7, Heimendinger teaches a rendering computer 634 wherein the images having attached files are arranged in a file in the file format according to an order (group objects) in which they were attached to the message and follow one image comprising the converted message text. Note, the object text is associated with the corresponding object job.

With respect to claim 8, Heimendinger teaches maintaining multiple programs for concurrently converting different file attachments (each having different object jobs according to col. 6, lines 25 33) for fax jobs from the management computers to the image file format, Note the file format consisting of Ethernet, Internet, Fax or E mail. See col. 5, lines 25 30.

With respect to claim 9, Heimendinger teaches one application program (a fax protocol if the operator only desires that one). The application converts the files into different formats. See col. 5, lines 25 30 and col. 6, lines 25 33.

With respect to claim 10, Heimendinger teaches a network computing system as claimed comprising: a plurality of fax management systems (620 and 630 each having a separate internal processor) each processor sharing memory 618 coupled to the processor. Heimendinger teaches a rendering computer 634 comprising a processor and a. memory coupled to the processor; at lest one

communication port 610; fax management logic in the memory (RAM 224) of each fax system for performing: managing multiple fax transmission fax jobs (via session object 316; transferring the message content from the management system (620) to a rendering computer (634); launching, the rendering computer, at least one application program(fax to e mail conversion) to convert the message content from a fax job to a file format; transferring (via 634) the rendering computer, the converted message content in the file format to the fax management system 620 (via IP protocol to fax file format, see col. 15, lines 57 59) that sent the message content to the rendering computer; transferring the message content in the file format received from the rendering computer 634 to one communication port 638 for transmittal to the recipient contact address; and rendering program logic (PFB 110) residing in the rendering memory as claimed for performing launching at least one application program (stored in PFB 110 which may have more than one protocol , such as e mail, fax, IP, according to col. 5, lines 15 20); and transferring(via 634) he converted message content in the file format to the fax management system 620 that sent the message content to the rendering computer.

With respect to claim 1 1, Heimendinger teaches wherein the management program logic (PFB 110) further performs transferring job numbers (group objects), via 620, where the job numbers are session objects which are assigned to the fax jobs to the conversion computer 634; and requesting with the rendering computer, the message content for the job numbers, wherein

the fax management servers 620 transfer the message content in response to receiving the request from the rendering computer. See also cot. 8, lines and 32 51, and especially lines 27 40.

With respect to claims 14, Heimendinger teaches a file format (fax image file format, see cot. 15, lines 57 59.

With respect to claims 15, Heimendinger teaches determining one of multiple application programs capable of opening the attachment file (network protocol fax box 110, as taught at cot. 5, lines 15 20 and 36 42). Heimendinger also teaches using the determined application program to convert the content of the attachment fit(. to one or more images (IP) in the file format (fax file format), wherein all the images in the file format have an attached file from the first computing system. See col. 8, line 57 col.9, line 4 where header or address data is discerned in order to redirect the message object to the destination object. The first computing system is either of object manager 620 or destination object creator 634.

With respect to claim 16, Heimendinger teaches a rendering computer 634 wherein the images having attached files are arranged in a file in the file format according to an order (group objects) in which they were attached to the message and follow one image comprising the converted message text. Note, the object text is associated with the corresponding object job.

With respect to claim 17, Heimendinger teaches maintaining multiple programs for concurrently converting different file attachments (each having different object jobs according to cot. 6, lines 25 33) for fax jobs from the management computers to the image file format, Note the file format consists of multiple formats such as Ethernet, Internet, Fax or E mail. See cot. 5, lines 25 30.

With respect to claim 18, Heimendinger teaches one application program (a fax protocol if the operator only desires that one). The application converts the files into different formats. See cot. 5, lines 25 30 and cot. 6, lines 25 33.

With respect to claim 19, Heimendinger teaches a signal bearing medium 316 containing a fax management program (stored RAM 224) and rendering program (RAM 224 see also PFB 110) for processing a message in a network as claimed wherein multiple management computers (634, 638 and 630) are used to perform: wherein the fax management program is capable of causing the fax management computers to perform managing multiple fax transmission fax jobs (via session object 316; transferring the message content from the management system (620) to a rendering computer (634); launching, the rendering computer, at least one application program(fax to e mail conversion) to convert the message content from a fax.job to a file format; transferring (via 634) the rendering computer, the converted message content in the file format to the fax management

system 620 (via IP protocol to fax file format, see col. 15, lines 57 59) that sent the message content to the rendering computer.

With respect to claim 20, Heimendinger teaches wherein the fax management program 620 performs, transferring job numbers assigned to the fax jobs to the rendering computer 634; and wherein the rendering program further performs requesting the message content for the job numbers (group object identifiers), wherein the fax management servers transfers the message content in response to receiving the request from the rendering computer, see col. 8, lines 32 51.

With respect to claim 23, Heimendinger teaches a file format fax image file format, see col. 15, lines 57 59.
With respect to claim 24, Heimendinger teaches determining one of multiple application programs capable of opening the attachment file (network protocol fax box 110, as taught at col. 5, lines 15 20 and 36 42). Heimendinger also teaches using the determined application program to convert the content of the attachment file to one or more images (IP) in the file format (fax file format), wherein all the images in the file format have an attached file from the first computing system. See col. 8, line 57 col.9, line 4 where header or address data is discerned in order to

redirect the message object to the destination object. The first computing system is either of object manager 620 or destination object creator 634.

With respect to claim 25, Heimendinger teaches a program (stored in RAM 224) for rendering computer 634 wherein the images having attached files are arranged in a file in the file format according to an order (group objects) in which they were attached to the message and follow one image comprising the converted message text. Note, the object text is associated with the corresponding object job.

With respect to claim 26, Heimendinger teaches wherein the rending program via rending computer) maintains multiple programs for concurrently converting different file attachments (each having different object jobs according to col. 6, lines 25 33) for fax jobs from the management computers to the image file format, Note the file format consisting of Ethernet, Internet, Fax or E mail. See col. 5, lines 25 30.

With respect to claim 27, Heimendinger teaches a rending program via RAM 224 for rending one application program (a fax protocol if the operator only desires that one). The application converts the files into different formats. See col. 5, lines 25 30 and col. 6, lines 25 33.

2. The following is a quotation of 35 U. S. C. 103 (a) which forms the basis for all obviousness
rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said. subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 13 and 22 are rejected tinder 35 U.S. C. 103(a) as being unpatentable over Heimendinger in view of Bloomfield.

Claims 4, 13 and 22 teach all of the subject matter upon which the claim depends except for 1) using the sender information as claimed; 2) generating a cover page as claimed and 3) transmitting the cover page as claimed.

Bloomfield teaches sender information on a fax cover page for each fax job, see the top portion of fig. 5. Bloomfield teaches generating a cover page in a file format to be sent to a recipient via sheet 272' shown by figure 5. Bloomfield teaches the sheet is

transmitted along with a message over a network, shown by figure 6. Note that the job control number could be element 299 shown by figure 5 of Bloomfield.

Since Heimendinger and Bloomfield are both directed toward networking devices and the transmission of text, documents and images over the network, the purpose of generating and transmitting a cover letter to accompany a message is well known in the art and would have been recognized by Heimendinger as specifically set forth by Bloomfield.

It would have been obvious to modify processor 210 or fax interface 228 or the combination there of Heimendinger so that it could be modified with the software and hardware applications as provided by the fax server I 10 of Bloomfield which has the purpose of generating the coversheet with the message content.

3. Objected Claims

.Claims 12 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Examiner's Remarks

At page 11, the last seven lines, and the first three lines of page 12 of applicant's response, it is noted that the Examiner does not have motivation for modifying the destination object manager 634 to be run on a rendering computer..." However, applicant's specification teaches that most attachments are created using a personal computer application program which includes the use of a graphics card and an operating system. The specification suggests that a computer should handle the conversion processes as opposed to a server. The examiner concedes that 634 is not a rendering computer, however, applicant's specification suggests that a computer is not critical to the invention as is the use of applications programs, a graphics card and an operating system. Col. 6, lines 25-54 teach that PFB 110 is implemented using object oriented software. Figure 3 shows software block diagram of the PFB embodiment 110. Note that figure 3 includes the use of session object 316. Section object 316 is shown in amplified form by figure 6. Figure 6 reveals the destination

object creator 634. According to col. 6, lines 28-32, the object oriented software is known in the art as software units which are programmed to interact in specific ways to achieve the desired functionality. Hence, the software discussed here is the type of software that would be utilized to manage the processing of message content from the fax (116) shown by figure 1 according to the session object manager 620 shown by figure 6. While, 634 is not a computer, it functions to perform in substantially the same way as the rendering computer in that it processes message content from fax 116 through the session object manager 620.

Applicant reiterates the argument beginning at line 8 of page 12. The examiner contends that the object creator is software that functions in the same manner, according to the written specification at pages 13 and 14, as the software program that would run on the rendering computer for performing the same function, namely the processing of message content.

No argument to claims 10 and 19 have been advanced and are rejected for the same reason as presented in the office action mailed Feb. 17, 2004.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703 305 4391. The examiner can normally be reached on Mon. Fri. from 9:00 to 5:00.
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached on (703) 305 4863. The fax phone number for the organization where this application or proceeding is assigned is 872 9306.
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305 3900.

J. Grant II
PRIMARY EXAMINER